

Notice of Allowability

Application No.

09/933,562

Examiner

Anabel M. Ton

Applicant(s)

PARKER ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/01/06.
2. ☒ The allowed claim(s) is/are 1-9, 11-26, 28-31, 33-41, 43-46, 48-55, 57-59, 61 and 63-76.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Foster on April 7th, 2006.

The application has been amended as follows: In claim 70, line 9 after "inside the barrel" insert-----wherein the batteries are mounted in a housing, the housing being removable from the barrel wherein the housing is a substantially cylindrical element for mounting multiple batteries in an axial relationship around the axis of the housing-----

In claim 76, line 9, after "barrel" insert----- wherein the batteries are mounted in a housing, the housing being removable from the barrel wherein the housing is a substantially cylindrical element for mounting multiple batteries in an axial relationship around the axis of the housing-----

Allowable Subject Matter

2. Claims 1-9,11-26,28-31,33-41,43-46,48-55,57-59,61,63-76 are allowed.

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3. The following is an examiner's statement of reasons for allowance: The prior art cited does not anticipate individually or teach in combination the following limitations:

- A barrel, the barrel being for mounting batteries such that when the batteries are in the barrel, an array of batteries are side by side in relationship with each other radially around the central longitudinal axis extending through the barrel, a lamp, a switch, a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; a reflective surface with substantially hemispherical multiple protrusion on the reflective surface are selected to control a fraction of concentrate light emanating from the lamp, reflected by the reflected surface, and transformed into a dispersed light or a larger diameter, a cap for the barrel and a pistol grip handle extending transversely from the barrel;
- A barrel being for mounting batteries such that when the batteries are in the barrel, an array of several batteries are in side by side relationship radially around a central longitudinal axis extending through the barrel, a lamp. A switch a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; a cap for the barrel; a pistol grip handle extending transversely from the barrel; and a reflective surface, the reflective surface being substantially parabolic with multiple protrusions arranged on the reflective surface, wherein the multiple protrusions are substantially hemispherical protrusions of a size

and density selected to control a fraction of concentrated light emanating from the lamp reflected by the reflective surface and transformed into a dispersed light of larger diameter

- A barrel being for mounting batteries such that when the batteries are in the barrel, an array of several batteries are in side by side relationship around a central longitudinal axis extending through the barrel, a lamp. A switch a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; a cap for the barrel; a pistol grip handle extending transversely from the barrel; and a reflective surface, the reflective surface being substantially parabolic with multiple protrusions arranged on the reflective surface wherein the multiple protrusions are substantially hemispherical protrusions arranged around the reflective surface wherein the protrusions are arranged in rows from the base of the parabolic reflector towards the edge of the parabolic reflector, there being multiple protrusions in each row, and wherein successive row are offset relative to the protrusions in adjacent rows;
- A barrel being for mounting batteries such that when the batteries are in the barrel, an array of several batteries are in side by side relationship radially around a central longitudinal axis extending through the barrel, a lamp. A switch a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; a cap for the barrel; a pistol grip handle extending transversely from the barrel;

and a reflective surface, the reflective surface being substantially parabolic with multiple protrusions arranged on the reflective surface a pistol grip extending transversely from the barrel, wherein the body portion of the handle includes weight reducing elements, the at least one element forming at least one void in the handle, the at least one element being formed so as to retain the structural strength of the handle; the batteries are mounted in a housing the housing being removable from the barrel when the cap is removed from the barrel, a mounting for a switch and circuit on an outside wall of the housing, the housing being removable from the barrel when the cap is removed from the barrel, and wherein the housing is a substantially cylindrical element for mounting multiple batteries in an axial relationship around the axis of the housing;

- A barrel being for mounting batteries such that when the batteries are in the barrel, an array of several batteries are in side by side relationship radially around a central longitudinal axis extending through the barrel, a lamp. A switch a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; a cap for the barrel; a pistol grip handle extending transversely from the barrel; and a reflective surface, the reflective surface being substantially parabolic with multiple protrusions arranged on the reflective surface a pistol grip handle extending transversely from the barrel wherein the handle and barrel are ergonomically structured to promote a balance in the flashlight

thereby to substantially balance the flashlight with eight batteries mounted to the barrel to enable the flashlight to stand on a base of the handle without tipping forward or backward;

- A barrel being for mounting batteries and being substantially egg shaped from and forward end which the forward end is substantially truncated effectively creating a half egg shape to a rear end, a lamp a switch a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp; a lens; batteries being mounted in the barrel to enable the flashlight to stand on a base of a handle of the flashlight without tipping forward or backward; a cap for the barrel and a trigger, the trigger including magnetic means being operable to activate the switch through a wall of the barrel and the switch being contained inside the barrel.
- A barrel a housing separable from the barrel and locatable in the barrel, the housing being for mounting batteries, a lap, a switch, a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp, a lens for the barrel, a substantially parabolic reflective surface, the reflective surface being substantially parabolic with multiple irregularities arranged on the reflective surface and with at least one indentation on the reflective surface and multiple substantially hemispherical protrusions being applied to the substantially paraboloid reflective surface with a size and density of each of the multiple

substantially hemispherical protrusions chosen to create a dispersion of light in a conical pattern relative to a central column of light;

- A barrel a housing separable from the barrel and locatable in the barrel, the housing being for mounting batteries, a lap, a switch, a circuit, the switch being for opening and closing the circuit, the circuit being between the batteries and the lamp, a lens for the barrel, a reflective surface, the reflective surface being substantially parabolic with multiple irregularities arranged on the reflective surface wherein the irregularities substantially adjacent to the base of the parabolic reflector are relatively smaller than the size of the protrusions towards the edge of the parabolic reflector;
- The protrusions are arranged in rows from the base of the parabolic reflector towards the edge of the parabolic reflector there being multiple protrusions in each row, wherein successive rows are offset relative to protrusions in adjacent rows
- Each row of protrusions is offset from an adjacent row the offset being radically determined between about 1 degree and 10 degrees;
- Wherein there are about 1,260 protrusions arranged in about 21 rows from the base of the parabolic reflector towards the edge.
- The reflective surface forming a textured parabolic reflective surface with multiple formations the texture acting to blend a column of light normally reflected by the lamp located at the vertex of the parabolic reflector and dispersed patterns of light obtained by reflections from protrusions on the

reflective surface, the blending acting to reduce a visual irregularity caused by at least one of an unsymmetrical filament in the lamp, an imperfect filament location relative to a vertex of the parabolic reflector, or imperfections in shape of the reflector wherein the size and density of the formations on the reflective surface are selected thereby to create a substantially consistent light intensity through the area of increased diameter pattern, the increased diameter pattern being outside of a certain column of higher intensity light reflected by the parabolic effect on the reflector;

- A barrel the barrel being for mounting the batteries, a lamp, a switch, a circuit, the switch being for opening and closing the circuit, the circuit between the batteries and the lamp, a lens, a cap for the barrel, a pistol grip handle extending transversely from the barrel, and the flashlight thereby to substantially balance the flashlight with eight batteries mounted in the barrel to enable the flashlight to stand on a base of the handle without tipping forward or backward, wherein the handle is formed of elements cut out from a structure forming the handle so as to enhance lightness of the handle while at the same time retaining the structural strength of the handle;
- With regards to the limitation of "the handle is formed of elements cut out from a structure forming the handle so as to enhance lightness of the handle while at the same time retaining the structural strength of the

handle”, although Hon discloses the handle being made of a durable plastic material, Hon does not teach specifically the handle being formed of elements cut out from a structure forming the handle, and no motivation could be found in the prior art cited to warrant such a modification.

- With regards to the parabolic reflective surface with multiple substantially hemispherical irregularities in the abovementioned arrangements of the instant invention, although Owens teaches a parabolic reflector with hemispherical protrusions formed on the surface of the reflector, all the protrusions are formed in an equal size and distribution on the surface of the reflector. Motivation was not found within Owens nor any other prior art cited of record so as to modify the device of Hon to include the hemispherical protrusions as shaped and distributed in the instant invention.
- With regards to the limitation of “wherein the barrel is substantially partially egg shaped from the forward end to the rear end, and the forward end being substantially truncated, the truncation effectively created a half egg shape; motivation was not found within any of the prior art cited of record to modify the device of Hon to have a substantially partial egg shape, furthermore, applicant’s arguments presented 01/27/05, pp. 25 were convincing and overcame the prior rejection made based on “design choice”.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton
Examiner
Art Unit 2875

AMT



Sandra O'Shea
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